

C10 --These deposit were made under the provisions of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purpose of Patent Procedure and the Regulations thereunder (Budapest Treaty). This assures maintenance of a viable culture of the deposit for 30 years from the date of deposit. The deposits will be made available by ATCC under the terms of the Budapest Treaty, and subject to an agreement between Genentech, Inc. and ATCC, which assures that all restrictions imposed by the depositor on the availability to the public of the deposited material will be irrevocably removed upon the granting of the pertinent U.S. patent, assures permanent and unrestricted availability of the progeny of the culture of the deposit to the public upon issuance of the pertinent U.S. patent or upon laying open to the public of any U.S. or foreign patent application, whichever comes first, and assures availability of the progeny to one determined by the U.S. Commissioner of Patents and Trademarks to be entitled thereto according to 35 USC § 122 and the Commissioner's rules pursuant thereto (including 37 CFR § 1.14 with particular reference to 886 OG 638).--

**In the Claims:**

Cancel claims 47 and 48, without prejudice.

Please amend claims 39-44 as follows:

39. (Once Amended) An isolated polypeptide having at least 80% amino acid sequence identity to:

(a) the amino acid sequence of the polypeptide shown in Figure 36 (SEQ ID NO: 96);

C11 (b) the amino acid sequence of the polypeptide shown in Figure 36 (SEQ ID NO: 96), lacking its associated signal peptide;

(c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 36 (SEQ ID NO:96); or

(d) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 209397, wherein said polypeptide is overexpressed in lung tumor.

40. (Once amended) The isolated polypeptide of Claim 39 having at least 85% amino acid sequence identity to:

(a) the amino acid sequence of the polypeptide shown in Figure 36 (SEQ ID NO: 96);

(b) the amino acid sequence of the polypeptide shown in Figure 36 (SEQ ID NO: 96), lacking its associated signal peptide;

(c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 36 (SEQ ID NO:96); or

(d) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 209397, wherein said polypeptide is overexpressed in lung tumor.

C 11  
Cont  
41. (Once amended) The isolated polypeptide, of Claim 39 having at least 90% amino acid sequence identity to:

(a) the amino acid sequence of the polypeptide, shown in Figure 36 (SEQ ID NO: 96);

(b) the amino acid sequence of the polypeptide shown in Figure 36 (SEQ ID NO: 96), lacking its associated signal peptide;

(c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 36 (SEQ ID NO:96); or

(d) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 209397, wherein said polypeptide is overexpressed in lung tumor.

42. (Once amended) The isolated polypeptide, of Claim 39 having at least 95% amino acid sequence identity to:

- (a) the amino acid sequence of the polypeptide shown in Figure 36 (SEQ ID NO: 96);
- (b) the amino acid sequence of the polypeptide shown in Figure 36 (SEQ ID NO: 96), lacking its associated signal peptide;
- (c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 36 (SEQ ID NO:96); or
- (d) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 209397, wherein said polypeptide is overexpressed in lung tumor.

C11  
Cont  
43. (Once amended) The isolated polypeptide of Claim 39 having at least 99% amino acid sequence identity to:

- (a) the amino acid sequence of the polypeptide shown in Figure 36 (SEQ ID NO: 96);
- (b) the amino acid sequence of the polypeptide shown in Figure 36 (SEQ ID NO: 96), lacking its associated signal peptide;
- (c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 36 (SEQ ID NO:96); or
- (d) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 209397, wherein said polypeptide is overexpressed in lung tumor.

44. (Once amended) An isolated polypeptide comprising:

- (a) the amino acid sequence of the polypeptide shown in Figure 36 (SEQ ID NO: 96);

(b) the amino acid sequence of the polypeptide shown in Figure 36 (SEQ ID NO: 96), lacking its associated signal peptide;

(c) the amino acid sequence of the extracellular domain of the polypeptide shown in Figure 36 (SEQ ID NO:96); or

(d) the amino acid sequence of the polypeptide encoded by the full-length coding sequence of the cDNA deposited under ATCC accession number 209397, wherein said polypeptide is overexpressed in lung tumor.

---